



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 17, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

44 May 17, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**LOS ANGELES RIVER WEST BIKEPATH LANDSCAPING
CITY OF CUDAHY
CATEGORICAL EXEMPTION – LANDSCAPE IMPROVEMENTS
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
(FIRST DISTRICT)
(3 VOTES)**

SUBJECT

The recommended actions will find that this project is categorically exempt from the California Environmental Quality Act (CEQA), adopt the plans, allow advertising for construction bids, and delegate authority to the Director of Public Works or her designee to award and execute a construction contract for the Los Angeles River West Bikepath Landscaping project in the City of Cudahy.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the project is exempt from the California Environmental Quality Act for the reasons stated in this letter and in the record of the project.
2. Approve the project and adopt plans and specifications that are on file in the Architectural Engineering Division of the Department of Public Works for construction of the Los Angeles River West Bikepath Landscaping project located in the City of Cudahy, at an estimated construction cost of \$215,000.
3. Instruct the Executive Officer of your Board to advertise for bids to be received and opened on June 16, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements (Attachment B).

4. Authorize the Director of Public Works or her designee to execute a consultant services agreement with the apparent lowest responsive and responsible bidder to prepare a baseline construction schedule for a \$1,000 not-to-exceed fee funded by the existing project funds.

5. Delegate to the Director of Public Works or her designee the authority to designate and reject all non-responsive bids and determine, in accordance with the applicable contract and bid documents, whether the apparent lowest responsive and responsible bidder has timely prepared a satisfactory baseline construction schedule that satisfies all conditions for contract award, including the criteria adopted by your Board for contract award. Upon determination that all such conditions have been satisfied, authorize the Director of Public Works or her designee to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent lowest responsive and responsible bidder, and to establish the effective date of the contract upon receipt of acceptable performance and payment bonds and evidence of required contractor insurance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approve the project's recommended actions that will find that the project is categorically exempt from CEQA, adopt plans and specifications, authorize the advertising of construction bids, and authorize the Director of Public Works to award and execute a construction contract for the Los Angeles River West Bikepath Landscaping project.

The proposed project consists of improvements along the west levee of the Los Angeles River between Union Pacific Railroad and Live Oak Street. An existing paved bike path runs along the top of the levee. The back side of the levee and portions of the upper wall of the channel will be enhanced to create a recreational setting. The improvements include landscaping, irrigation system, an approximate 7- by 17-foot wood composite deck with fixed bench, decomposed granite surfacing, river rock paving, fencing, landscaping, irrigation, installation of a water meter, irrigation controllers, and appurtenant structures. The wood composite deck and bench will provide a resting stop for pedestrians and/or bicyclists. The river rock paving and landscaping will create an aesthetically pleasing stretch of the Los Angeles River. The water meter and controller will be installed to provide water for the proposed landscaping.

This project is consistent with the 1996 Board-adopted Los Angeles River Master Plan goal of improving the open space adjacent to and along the Los Angeles River.

In order to expedite construction of the project, it is recommended that your Board authorize the Director of Public Works to award and execute a construction contract to the lowest responsive and responsible bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter) if the low bid can be awarded within the total project budget approved by your Board. If the low bid cannot be accommodated within the approved total project budget, a contract will not be awarded, and we will return to your Board with a revised project scope of work and/or other funding recommendations.

The proposed consultant services agreement requires the apparent lowest responsive and responsible bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully manage construction activities by both the contractor and the County. Bid specifications provide that if the apparent lowest responsive and responsible bidder fails to complete an acceptable construction schedule, the Director of Public Works may return to your Board to recommend that the bidder be determined nonresponsive and

recommend awarding the construction contract to the next apparent lowest responsive and responsible bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction of the project will begin in August 2011 and be completed in December 2011.

Green Building/Sustainable Design Program

The project supports your Board's Sustainable Design Program by implementing design features that are consistent with the Low Impact Design Standards. The project will use water-efficient fixtures and will implement the use of native and/or drought tolerant landscaping where possible to reduce the amount of potable water consumed.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of the improvement of Community and Municipal Services (Goal 3) by offering a wide range of services responsive to each community's specific needs. This project will help achieve these goals as it is an investment in public infrastructure that will benefit the City of Cudahy and surrounding communities by providing improvements along a bike path.

FISCAL IMPACT/FINANCING

The cost for this project will be funded by the Community Development Block Recovery (CDBG-R) Grant. On December 24, 2009, Public Works accepted a CDBG-R Grant from the Community Development Commission, funded by the American Recovery and Reinvestment Act of 2009. The CDBG-R Grant was in the amount of \$569,330.

There is no impact to the County General Fund. Public Works' fair construction cost estimate for the construction contract is \$215,000 with a \$32,000 change order contingency. The remaining \$322,330 will be utilized for project management, design, studies, testing, jurisdictional approvals, and Community Development Commission compliance. Sufficient funds are available in the recommended Fiscal Year 2011-12 Flood Fund Budget.

The Project Schedule and Budget Summary are included in Enclosure A.

Operating Budget Impact

Following construction completion of the proposed Los Angeles River West Bikepath Landscaping project, the City of Cudahy will maintain the improvements through a maintenance agreement that was executed on April 16, 2006, with the Flood Control District.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The contract will be in the form previously reviewed and approved as to form by County Counsel. The recommended contract will be solicited on an open competitive basis and is in accordance with applicable Federal, State, and County requirements.

The contract will contain terms and conditions supporting your Board's ordinances, policies, and

programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW) Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice of Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax law, Internal Revenue Service Notice 1015); Contract Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; and the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

Applicable law, including the State Public Contract Code, requires the County to award the construction contract to the apparent lowest responsive and responsible bidder, which refers to the firm that: (1) submits the lowest-price bid; (2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to have demonstrated the quality, fitness, capacity experience, and trustworthiness to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to the lowest responsive and responsible bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractors State License Board labor law/payroll violation, and debarment actions. As provided for in Board Policy 5.140, the information reported by the contractor will be considered before making a recommendation to award.

Pursuant to your Board's Civic Art Policy as revised on November 5, 2008, the proposed project is exempt from the Civic Art fee as the project construction cost is less than \$500,000.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from CEQA. The project consisting of landscaping, irrigation, an approximate 7- by 17-foot wood composite deck with fixed bench, river rock, decomposed granite surfacing, water meter, controller, and appurtenant structures along the Los Angeles River is within certain classes of projects that have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15301 (c), and (h) and Section 15304 (b) of the CEQA guidelines. It is also categorically exempt pursuant to Class 1(a), (f), (j), (x)(13) and Class 4(c) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. The project will not create a significant impact to the surrounding environment and involves no expansion of an existing use. In addition, the project is not located in a sensitive area, will not include the removal of a scenic resource and there are no cumulative impacts, unusual circumstances or other limiting factors that would make the exemption inapplicable.

On November 17, 2009, a Certificate of Categorical Exclusion was completed by the U.S. Department of Housing and Urban Development, which found that this project met the conditions specified for such exemption under Section 24 CFR 58.35(a).

Upon your Board's approval of the project, Public Works will file a Notice of Exemption with the County Clerk pursuant to Section 15062 of the State CEQA Guidelines.

CONTRACTING PROCESS

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included in the contract.

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure B).

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

The contract requires that the contractor pay its employees applicable prevailing wages in accordance with the California Labor Code.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

During implementation of the proposed improvements, the portion of the Los Angeles County Bikeway that extends through this section will be detoured on local streets through the Cities of Bell, Cudahy, and South Gate. Appropriate jurisdictional approvals have been obtained.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Project Management Division II.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:MEN:bb

Enclosures

c: Executive Office, Board of Supervisors
Auditor Controller
Chief Executive Office
Civic Arts Commission
County Counsel
Department of Public Social Services
(GAIN/GROW Program)
Office of Affirmative Action Compliance

May 17, 2011

ENCLOSURE A

**DEPARTMENT OF PUBLIC WORKS:
LOS ANGELES RIVER WEST BIKEPATH LANDSCAPING
CITY OF CUDAHY
CATEGORICAL EXEMPTION – LANDSCAPE IMPROVEMENTS
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(FIRST DISTRICT)
(3 VOTES)**

I. PROJECT SCHEDULE

Project Activity	Revised Completion Date
Design	
Contract Execution	12/08/09*
Construction Documents	03/30/11*
Jurisdictional Approvals	04/18/11*
Construction Bid and Award	08/08/11
Construction	
Contractor NTP	08/10/11
Substantial Completion	11/07/11
Construction Completion	12/07/11
Acceptance	01/05/12

*Indicates completed activities.

II. PROJECT BUDGET SUMMARY

Budget Category	Total Budget
Land Acquisition	
Construction	\$ -
Job Order Contract	\$ -
Low Bid Construction Contract	\$ 215,000
Bid Contingency	\$ -
Change Orders	\$ 32,000
Departmental Crafts	\$ -
Youth Employment	\$ -
Equipment	\$ -
Construction Consultants	\$ -
Misc. Expense	\$ -
Gordian Group	\$ -
Civic Arts	\$ -
Subtotal	\$ 247,000
Programming/Development	
Plans and Specifications	\$ -
Consultant Services	\$ -
Deputy Inspection	\$ -
Site Planning	\$ -
Hazardous Materials	\$ -
Geotech/Soils Test	\$ -
Material Testing	\$ -
Cost Estimating	\$ -
Topographic Surveys	\$ -
Construction Management	\$ -
Construction Administration	\$ -
Environmental	\$ -
Move Management	\$ -
Equipment Planning	\$ -
Legal	\$ -
Contract/Change Order	\$ -
Other	\$ -
Subtotal	\$ 0

PROJECT BUDGET SUMMARY (continued)

Budget Category	Total Budget
Miscellaneous Expenditures	
Office of Affirmative Action	\$ 3,100
Printing	\$ 5,000
Prior Expenditures	
Subtotal	\$ 8,100
Jurisdictional Review/Plan	
Check/Permit	
Building and Safety Plan Check	\$
Fire Department	\$
Health Department	\$
Regional Planning	\$
Air Quality Management District	\$
Environmental Programs	\$
Land Development	\$
Materials Engineering	\$ 14,500
State Water Resource Board	\$
Subtotal	\$ 14,500
County Services	
Code Compliance and	-
Quality Control Inspections	\$ 25,000
Design Review	\$ -
Design Services	\$ 41,530
Contract Administration	\$ 32,100
Project Management	\$ 100,800
Project Management Support	\$ 7,100
ISD Job Order Contract Management	\$ -
DPW Job Order Contract Mgmt.	\$ -
ISD ITS Communications	\$
Project Security	\$ -
Project Technical Support	\$
County Counsel	\$ -
Other - County DPW Divisions	\$ 93,200
Consultant Contract Recovery	\$ -
Sheriff Job Order Contract Mgmt	\$ -
Design Services	\$ -
Subtotal	\$ 299,730
Total	\$ 569,330

May 17, 2011

ENCLOSURE B

**DEPARTMENT OF PUBLIC WORKS:
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>PROJECT</u>	<u>BID DOC. FEE</u>	<u>DATE OF BID OPENING</u>
1	Los Angeles River West Bikepath Landscaping Los Angeles River West Levee between Union Pacific Railroad and Live Oak Street, City of Cudahy Reference: CDBG-R REC085-09	\$50	06/16/11

Copies of the project manual and drawings may be downloaded for free from the Los Angeles County Public Works website <http://dpw.lacounty.gov/go/constructioncontracts>; or for \$50, copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. For bid information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m., on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m., on this date in Architectural Engineering Division's Conference Room, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active-A license classification at the time of award. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project. The contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are on file at Public Works, which shall be made available to any interested party upon request.

SECTION 3 PRE-BID CONFERENCE

This is a HUD Section 3 covered construction project, subject to creating economic opportunities for low- and moderate-income residents and qualified business concerns within the project area as outlined in Section 3 of the Housing Development Act of 1968. The Public Works' Project Management Team will hold a prebid conference at 10 a.m., on June 1, 2011, at the project job site (meet at the Live Oak Street, Los Angeles River entrance), to provide information on the project, bidding process, and answer any questions that the potential bidders may have. For further directions, please contact Mr. Brian Soria with the Public Works' Architectural Engineering Division at (626) 458-2588.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts, as defined in Section 2000 of the Public Contract Code, to contract with Community Business Enterprises.

This project is subject to California Development Commission requirements as defined in the plans and specifications.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del Departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California dated May 17, 2011.

SACHI A. HAMAI, EXECUTIVE OFFICER
OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES